

REMARKS

Claims 7-25 are now pending in the application. Claims 1-19 stand rejected. Claims 1-6 have been cancelled. Claims 11-16, 18 and 19 have been amended to correct various informalities and to update their dependency. Support for newly added Claims 20-25 can be found throughout the application as originally filed, and in particular in Paragraphs [0042] - [0048]. As such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

The Office Action objected to Claims 6 and 16 because of minor informalities. In response to these objections, Claim 6 has been cancelled. Claim 16 has been amended to read "occupant in the seat". Accordingly, Applicant respectfully submits that the objections to Claims 6 and 16 have been overcome.

REJECTION UNDER 35 U.S.C. §§ 102 AND 103

Claims 1-4, 14 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Browne *et al.* (U.S. Pub. No. 2003/0001372, hereinafter "Browne"). Claims 5 and 15-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Browne in view of Behr *et al.* (U.S. Pat. No. 4,951,963, hereinafter "Behr"). Claims 6-10 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Browne in view of Lee (U.S. Pat. No. 4,518,183). Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Browne in view of Lee and further in view of Behr. Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Browne

in view of Lee and further in view of Desrochers *et al.* (U.S. Publication No. 2003/0173120). Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Browne in view of Lee and further in view of Muller *et al.* (U.S. Publication No. 2002/0153716).

As noted above, Claims 1-6 have been cancelled. As such, the art rejections applied to these claims are now moot. Claims 8-19 all ultimately depend from Claim 7 and the claims dependent therefrom are respectfully traversed for the reasons provided below.

Initially, Applicant notes that Browne discloses a knee bolster system (30)

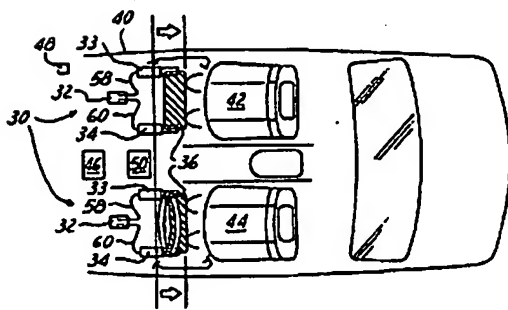


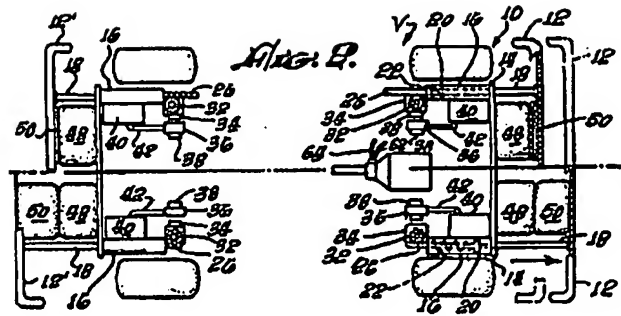
FIG. 2

including an actuator (32) preferably connected to two telescoping mechanisms (33, 34), which are, in turn, attached to a knee bolster pad (36) and a vehicle structure (40). See Paragraph [0031]. After receipt of necessary crash or pre-crash input signals from

external impact sensors (48), a microprocessor (46) extends the bolster pad (36). See Paragraph [0032]. If the reasons to extend are alleviated or pre-set delay times have expired, the microprocessor (46) sends a signal to retract the bolster pad (36). See Paragraph [0032]. However, as the Office Action notes, Browne fails to disclose that the knee bolster system (30) includes an inflatable element. As such, Browne also fails to disclose a second signal, which dictates inflation of this additional safety device.

The Office looks to Lee in support of this second safety device, but Lee also fails to teach or suggest a second signal indicating inflation of an airbag as a secondary safety device. Lee discloses a safety apparatus (10) for a vehicle (V) attached to

forward and rearward bumpers (12, 12') and to a frame plate (14). See Col. 3, lines 40-43. In response to a signal received indicating an impact situation, an air bag (50) is inflated, extending the forward and rearward bumpers



(12, 12'). See Col. 4, lines 14-21. If an impact occurs, an exhaust valve (60) allows for a metered deflation of the airbag (50), thereby absorbing the shock of the impact. See Col. 4, lines 22-25. A motor (34) moves the bumpers (12, 12') back into a retracted position if there is no indication of impending impact. See Col. 3, lines 64-68.

Applicant respectfully submits that Browne in combination with Lee does not teach or suggest each and every element of Claim 7. In particular, Browne and Lee fail to disclose:

...a blocking unit and a reversible drive to drive the blocking unit, in response to a first signal, from an initial position to an operative position, the drive being associated with a timing arrangement to control the drive to return the blocking unit to the initial position after a pre-determined period of time, the arrangement incorporating an energy absorbing element operative to absorb energy as the blocking unit is moved from the operative position by an applied force, wherein the energy absorbing element is an inflatable element that is inflated in response to a second signal.

The remaining art of record is similarly lacking. The Office Action refers to the signal generated by the impact of a knee on a blocking unit as the second signal. However, this impact signal does not cause the initiation of a second, inflatable safety device, but rather causes only a cessation of forward movement of the first safety device. See Browne, Paragraph [0046]. See Lee, Col. 4, lines 22-25. The art fails to teach or suggest at least the limitations of Claim 7 discussed above. Additionally, the

invention of Claim 7 would not have been obvious in view of the collective art. Accordingly, Applicant respectfully submits that Claim 7 and Claims 8-19 dependent therefrom are in condition for allowance.

NEW CLAIMS

New Claims 20-25 are added herein for consideration. Applicant respectfully submits that the cited art of record fails to teach or suggest all of the limitations recited in Claim 20. Accordingly, Applicants respectfully submit that independent Claim 20, as well as Claims 21-25, dependent therefrom, are in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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